

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.09/599,809
Filing Date6/21/2000
Confirmation No.8042
InventorshipMatthew J. Kotler
ApplicantMicrosoft Corporation
Group Art Unit2176
ExaminerPAUL H. NGUYEN BA
Attorney's Docket No.MS10561US
Title: System and Method for Integrating Spreadsheets and Word Processing Tables

**INFORMATION DISCLOSURE STATEMENT AND
CERTIFICATIONS UNDER 37 CFR 1.97(e)(1) AND 1.704(d)**

The listed citations were cited in a Communication from a foreign patent office in a counterpart foreign application, and are being submitted in compliance with the duty of disclosure defined in 37 CFR §1.56. Copies of the citations and the Communication are attached. The Examiner is requested to make these citations of official record in this application.

I hereby certify that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Furthermore, each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

Respectfully Submitted,

Date: 2-14-06

By: 

Michael K. Colby
Reg. No. 45816

Kay Christy
for Michael Colby
#00559
02/14/06

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete If Known

Application Number	09/599,809
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Filing Date	6/21/2000
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First Named Inventor	Kotler et al
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Art Unit

Examiner Name: _____

Attorney Docket Number	MS1 -	561115
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Sheet	1	of	1
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[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T
		Country Code* Number* Kind Code* (If Applicable)	MM-DD-YYYY			
		JP5314152	11/26/1993	CANON KK		
		JP6139241	5/20/1994	SHARP KK		
		JP6180697	6/28/1994	BROTHER IND LTD		
		JP6180698	6/28/1994	BROTHER IND LTD		
		JP63085960	4/16/1988	CASIO COMPUTER CO LTD		
		JP4225466	8/14/1992	HITACHI LTD.		

Examiner Signature	Date Considered
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EXAMINER: Initial reference considered, whether or not citation is in conformance with USPTO 009. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MFEP 901.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard 5T.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard 5T.16 if possible. *Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 57 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (send by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. #BXND
TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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YOSHIKAZU TANI
KAZUO ABE
SHIGEO FUSHIRO
NOBUYUKI KATO
HISAKATA SATO
HARUKO AKAZAWA
MASASHI SHINKAI
ATSUHIRO HAMANAKA
ISAO KUBOTA
MASAKI ICHIHARA
TOSHIO HARADA
KATSURIGA ITOH
TAKESHI KOBAYASHI
SOICHI SATO
KEN-ICHI KAKIHARA
SATORU ARAI
KATSUHIKO AKAZAWA
TADASHI TAMURA
MOTOHISHI IYASHITA
HIROYUKI HASEGAWA

TANI & ABE
PATENT ATTORNEYS

No. 8-20, AKASAKA 2-CHOME
MINATO-KU, TOKYO 107-0052
JAPAN
<http://www.taniabe.co.jp>

TELEPHONE
01-3-5589-1201
FACSIMILE
PATENTS:
01-3-5581-7322(G4)
01-3-5586-4528(G3)
TRADEMARK:
01-3-5589-1287(G3)
01-3-5581-7580(G4)
E-MAIL:
PATENTS To Overseas:
pat_int@taniabe.co.jp
PATENTS From Overseas:
kkurnal@taniabe.co.jp
TRADEMARK:
trademark@taniabe.co.jp

VIA AIRMAIL

RECEIVED
JAN 16 2006

LEE & HAYES, PLLC

January 12, 2006

Mr. Lewis C. Lee
Lee & Hayes PLLC
421 West Riverside Avenue
Suite 500, Spokane
Washington 99201
U. S. A.

Re: Japanese Patent Application No. 2002-503702
Your Ref: MS1-561JP
Our Ref: PH141101
Title: SYSTEM AND METHOD FOR INTEGRATING
SPREADSHEETS AND WORD PROCESSING
TABLES

In the name of: MICROSOFT CORPORATION

Dear Mr. Lee:

This is to inform you that we received a first Official Notice of Rejection regarding the above referenced application from the Japan Patent Office. The reasons are as stated in the Official Notice.

Enclosed please find

- (*) the Official Notice;
- (*) the cited reference(s);
- () the prior art literature(s); and
- (*) our comments.

The due date for responding to this rejection is March 16, 2006, although a three-month extension of term can be obtained, if necessary.

Please let us have your instructions by February 23, 2006 at the latest.

Kindly acknowledge receipt of this letter by return facsimile.

Very truly yours,

Tani & Abe

jlt
Encls.

拒絶理由通知書

特許出願の番号	特願2002-503702
起案日	平成17年12月 9日
特許庁審査官	和田 財太 9459 5M00
特許出願人代理人	谷 義一(外 1名) 様
適用条文	第29条柱書、第29条第2項、第36条

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から3か月以内に意見書を提出して下さい。

理 由

1. この出願の下記の請求項に記載されたものは、下記のとおりの特許法第29条第1項柱書に規定する要件を満たしていないから、特許を受けることができない。

記

(請求項1乃至50について)

特許請求の範囲第1乃至50項には、アークテクチャというコンピュータ・システムの論理的構造は記載されているものの、当該論理的構造をコンピュータ・システムとして実際に構成するためのハードウェア資源の開示も、当該ハードウェア資源を如何に協働させるのかについての開示もない。

したがって、本願の請求項1乃至50に係るものは、特許法上の「発明」に該当しない。

(請求項51乃至57について)

本願の請求項51乃至57に係るものは、表データの再計算に関する規則という(自然法則を利用しない)人為的取り決めの範囲を超えないので、特許法上の「発明」に該当しない。

(請求項58について)

本願の請求項58に係るものは、表データの再計算に関する規則という(自然法則を利用しない)人為的取り決めにコード化しただけであるので、特許法上の「発明」に該当しない。

(請求項59乃至67について)

本願の請求項59乃至67に係るものは、表データの再計算に関する規則とい

う（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項68について）

本願の請求項68に係るものは、表データの再計算に関する規則という（自然法則を利用しない）人為的取り決めにコード化しただけであるので、特許法上の「発明」に該当しない。

（請求項69乃至76について）

本願の請求項69乃至76に係るものは、表データの再計算に関する規則という（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項77について）

本願の請求項77に係るものは、表データの再計算に関する規則という（自然法則を利用しない）人為的取り決めにコード化しただけであるので、特許法上の「発明」に該当しない。

（請求項78乃至80について）

本願の請求項78乃至80に係るものは、表データのセルに関する参照規則という（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項81について）

本願の請求項81に係るものは、表データのセルに関する参照規則という（自然法則を利用しない）人為的取り決めにコード化しただけであるので、特許法上の「発明」に該当しない。

（請求項82について）

本願の請求項82に係るものは、表データの入れ子規則という（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項83乃至84について）

本願の請求項83乃至84に係るものは、表データの入れ子規則という（自然法則を利用しない）人為的取り決めにコード化しただけであるので、特許法上の「発明」に該当しない。

（請求項85について）

本願の請求項85に係るものは、表データの書式規則という（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項86について）

本願の請求項86に係るものは、表データの書式規則という（自然法則を利用しない）人為的取り決めにコード化しただけであるので、特許法上の「発明」に該当しない。

（請求項87について）

本願の請求項87に係るものは、表データの校正規則という（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項88について）

本願の請求項88に係るものは、表データの校正規則という（自然法則を利用しない）人為的取り決めにコード化しただけであるので、特許法上の「発明」に該当しない。

（請求項89乃至91について）

本願の請求項89乃至91に係るものは、表データのコントロール規則という（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項92について）

本願の請求項92に係るものは、表データの反映規則という（自然法則を利用しない）人為的取り決めの範疇を超えないので、特許法上の「発明」に該当しない。

（請求項93乃至97について）

本願の請求項93乃至97に係るものは、表処理に関する規則という（自然法則を利用しない）人為的取り決めに媒体化しただけであるので、特許法上の「発明」に該当しない。

（請求項104乃至105について）

本願の請求項104乃至105に係るものは、データが羅列されているだけで、ハードウェア資源の利用性に関する記載がないので、特許法上の「発明」に該当しない。

請求項98乃至103以外に記載されたものは特許法第29条第1項柱書でいう発明に該当しないことが明らかであるから、当該請求項に記載のものについては新規性、進歩性等の特許要件についての審査を行っていない。

2. この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の特許公報に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記

- (1) 特開平06-180697号公報
- (2) 特開平06-180698号公報
- (3) 特開平06-139241号公報
- (4) 特開平05-314152号公報
- (5) 特開平04-225466号公報
- (6) 特開昭63-085960号公報

(請求項98乃至103について)

上記引用文献1乃至6それぞれに記載されているような周知の表計算機能付き文書処理装置において、表計算機能として、本願出願人が販売している周知の表計算ソフトウェア(MS-Excel等)の持つ機能を採用することに格別な技術的困難性はない。

なお、フリーフローティング機能を用いてメッセージ出力することは、情報処理分野における周知技術である。

3. この出願は、特許請求の範囲の記載が下記の点で、特許法第36条第6項第2号に規定する要件を満たしていない。

記

特許請求の範囲第93乃至97項の記載形式では、コンピュータ可読媒体(自身体)が、各種処理を行うと読めるので、不適切なものとなっている。

整理番号:

発送番号:471905 発送日:平成17年12月16日

5/8

先行技術文献調査結果の記録

・調査した分野 IPC第7版 G06F19/00
 G06F17/21-17/24

(Translation)

OFFICIAL NOTICE OF REJECTION mailed on December 16, 2005
Japanese Patent Application No. 2002-503702
=====

Reasons

1. The matters recited in claims of the present application fail to conform to the requirement prescribed under the Main Clause of Section 29, Paragraph 1 of the Japanese Patent Law, as set forth below. Therefore, the claimed inventions are unpatentable.

Remarks

Re: Claims 1 to 50

Claims 1 to 50 recite a logical structure of a computer system which is an architecture. However, claims 1 to 50 recite neither hardware resources for actually constructing the logical structure as the computer system, nor how to make the hardware resources collaborate with each other.

Thus, the present inventions of claims 1 to 50 fail to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 51 to 57

The present invention of claims 51 to 57 fails to go beyond a category of man-made rules (by which a law of nature is not utilized) i.e. rules relating to recalculation of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 58

According to the present invention of claim 58, man-made rules (by which a law of nature is not utilized) i.e. rules relating to recalculation of tabular data are merely coded. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 59 to 67

The present invention of claims 59 to 67 fails to go beyond

a category of man-made rules (by which a law of nature is not utilized) i.e. rules relating to recalculation of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 68

According to the present invention of claim 68, man-made rules (by which a law of nature is not utilized) i.e. rules relating to recalculation of tabular data are merely coded. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 69 to 76

The present invention of claims 69 to 76 fails to go beyond a category of man-made rules (by which a law of nature is not utilized) i.e. rules relating to recalculation of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 77

According to the present invention of claim 77, man-made rules (by which a law of nature is not utilized) i.e. rules relating to recalculation of tabular data are merely coded. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 78 to 80

The present invention of claims 78 to 80 fails to go beyond a category of man-made rules (by which a law of nature is not utilized) i.e. reference rules relating to a cell of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 81

According to the present invention of claim 81, man-made rules (by which a law of nature is not utilized) i.e. reference rules relating to a cell of tabular data are merely coded. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 82

The present invention of claim 82 fails to go beyond a

category of man-made rules (by which a law of nature is not utilized) i.e. nesting rules of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 83 to 84

According to the present inventions of claims 83 to 84, man-made rules (by which a law of nature is not utilized) i.e. nesting rules of tabular data are merely coded. Thus, the claimed inventions fail to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 85

The present invention of claim 85 fails to go beyond a category of man-made rules (by which a law of nature is not utilized) i.e. format rules of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 86

According to the present invention of claim 86, man-made rules (by which a law of nature is not utilized) i.e. format rules of tabular data are merely coded. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 87

The present invention of claim 87 fails to go beyond a category of man-made rules (by which a law of nature is not utilized) i.e. correction rules of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 88

According to the present invention of claim 88, man-made rules (by which a law of nature is not utilized) i.e. correction rules of tabular data are merely coded. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 89 to 91

The present invention of claims 89 to 91 fails to go beyond

a category of man-made rules (by which a law of nature is not utilized) i.e. control rules of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claim 92

The present invention of claim 92 fails to go beyond a category of man-made rules (by which a law of nature is not utilized), i.e. reflection rules of tabular data. Thus, the claimed invention fails to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 93 to 97

According to the present inventions of claims 93 to 97, man-made rules (by which a law of nature is not utilized) i.e. rules relating to processing a table are merely converted into a medium. Thus, the claimed inventions fail to fall under "a statutory invention" defined under the Japanese Patent Law.

Re: Claims 104 to 105

The present claims 104 to 105 merely enumerate data, failing to recite availability of hardware resources. Thus, the claimed inventions fail to fall under "a statutory invention" defined under the Japanese Patent Law.

It is clear that the inventions of claims other than claims 98 to 103 fail to fall under a statutory invention defined under Section 29, Paragraph 1, Main Clause of the Japanese Patent Law. Thus, the claimed inventions have not been examined as to patentability requirements such as novelty and inventive step.

2. The present invention(s) as claimed in claim(s) set forth below would have been obvious to one having ordinary skill in the art, to which the inventions(s) pertain(s), prior to the filing date of the present application, on the basis of an invention(s) described in the publication(s) set forth below as distributed in Japan or foreign countries or an invention(s) made available to the public through the telecommunication line prior to the filing date of the present application. Therefore, the present invention(s) is(are) unpatentable under the provision of Section 29, Paragraph 2 of the Japanese Patent Law.

Remarks

- (1) Japanese Patent Application Laid-open No. Hei 06-180697
- (2) Japanese Patent Application Laid-open No. Hei 06-180698
- (3) Japanese Patent Application Laid-open No. Hei 06-139241
- (4) Japanese Patent Application Laid-open No. Hei 05-314152
- (5) Japanese Patent Application Laid-open No. Hei 04-225466
- (6) Japanese Patent Application Laid-open No. Sho 63-085960

Re: Claims 98 to 103

In a document processor with a well-known spreadsheet function, as disclosed in each of references 1 to 6 above, there is no remarkable, technical difficulty in employing a function of a well-known spreadsheet software (such as MS-Excel) which is sold by the Applicant of the present application, as a spreadsheet function.

Incidentally, it is well-known art in the technical field of information processing to output a message by employing a free floating function.

3. The recitations of claims of the present application are deficient in the points below. Therefore, the present application fails to conform to the requirements prescribed under Section 36, Paragraph 6, Item 2 of the Japanese Patent Law.

Remarks

The form of the recitations of claims 93 to 97 is improper, since it allows the recitations to read that a computer readable medium (per se) carries out various types of processes.

Record of Search Result of Prior Art Literature

Technical Field Searched

IPC, 7th Edition

G06F 19/00, G06F 17/21 to 17/24